

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7126

BILL NUMBER: HB 1419

NOTE PREPARED: Feb 17, 2009

BILL AMENDED: Feb 17, 2009

SUBJECT: Student discipline.

FIRST AUTHOR: Rep. Smith V

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires the governing body of a school corporation to develop an evidence-based plan for improving behavior and discipline in the school corporation, and a school within the school corporation to comply with the plan in developing the school's plan. It requires school corporation discipline rules to incorporate a graduated system of discipline, which includes actions that may be taken in lieu of suspension or expulsion.

The bill requires the Department of Education to develop a master evidence-based plan for improving student behavior and discipline upon which school corporations may base plans.

Effective Date: July 1, 2009.

Explanation of State Expenditures: The Department of Education could incur some additional expense for the master plan for improving student behavior and discipline. The impact would be mainly a one time cost in developing the plan. The master plan must include the following guidelines:

1. Improve safe school planning and classroom management.
2. Provide improved mental health services.
3. Review zero tolerance policies.
4. Provide assistance to parents concerning access to family strengthening programs.
5. Improve communications, coordination, and collaboration between schools.
6. Improve methods and procedures for school suspensions and referrals to alternative schools.
7. Provide for the collection, review, and reporting on an annual basis of school behavioral and discipline problems, arrests, and referrals to the juvenile justice system.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. DOE had 32 vacant positions worth \$321,344 as of January 5, 2008. Of the vacant positions, 13 had been vacant for more than two years. DOE, excluding tuition support, reverted about \$2.7 M to the state General Fund on June 30, 2008. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) Local schools could incur some additional cost with the development of an evidence-based school plan for improving student behavior and discipline based on the model developed by the Department of Education.

Schools could also incur some additional expense from the adoption of a graduated system of discipline. The impact would depend on if the school currently has a graduated system of discipline and the cost of additional disciplines that might need to be added.

The development and implementation of the discipline plan would be done within the school's current resources. Each school must annually report certain information to DOE.

Explanation of Local Revenues:

State Agencies Affected: Department of Education.

Local Agencies Affected: Local Schools.

Information Sources:

Fiscal Analyst: Chuck Mayfield, 317-232-4825.